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I. LAND AND PEOPLE

1. According to data from the Statistical Directorate of the Ministry for Planning, in 1990 the Moroccan population stood at 25,208,000, 11,734,000 of whom lived in towns and 13,474,000 in rural areas.

2. In 1991 the population was estimated at over 26 million inhabitants, representing an increase of the order of 2.7 per cent and an average density of 34.6 inhabitants per km^2.

3. In accordance with the growth rate projected by the Statistical Directorate, this figure will rise to 32 million inhabitants by the year 2000.

The population under 15 years of age was estimated at 10,159,000 in 1990, and the number of persons over 65 at 992,000.

4. In 1991 the working population was estimated to be 9.9 million, or 39 per cent of the total population, which means that almost 4 out of 10 Moroccans were in employment. Two worked in agriculture, one in industry and one in the tertiary sector.

5. Agriculture continues to be one of the decisive sectors in Morocco's economy, employing about half of the working population.

6. In recent years manufacturing industry has shown a marked recovery.

7. In 1991 the gross domestic product was made up as follows: agriculture, 20.2 per cent; industry, 27.5 per cent; tertiary sector, 36.6 per cent; public service, 15.7 per cent.

8. In 1991 the rate of unemployment was, on average, approximately 12.1 per cent of the working population, ranging from 20.6 per cent in urban areas to 5.6 per cent in rural areas. Unemployment affects in particular the age group 15-24 and persons with secondary or even university education.

9. The economic rate of growth continues to depend mainly on the international situation and on the performance in the agricultural year. This instability is the explanation for its erratic movements: 7.9 per cent in 1986, -2.1 per cent in 1987, 10.1 per cent in 1988, 1.5 per cent in 1989, 2.6 per cent in 1990 and 5.1 per cent in 1991.

10. The foreign debt ($21 billion in 1991) continues to be heavy despite the development efforts undertaken. It has stabilized over the past three years, after rising at an average annual rate of 4.5 per cent.

II. GENERAL POLITICAL STRUCTURE

11. Under the Moroccan Constitution of 1972, which followed the 1962 and 1970 Constitutions, having been approved on 1 March 1972 and revised by referendum on 4 September 1992, Morocco is a constitutional, democratic and social monarchy, based on a separation of powers.

12. The Kingdom of Morocco is also a unitary decentralized State.

13. In accordance with the Constitution, the King, as the supreme representative of the nation, the symbol of its unity and the guarantor of the permanence and continuity of the State, ensures respect for Islam and the Constitution. He is the protector of the rights and freedoms of citizens, social groups and communities.

14. The Chamber of Representatives, that is to say, the Moroccan Parliament, derives its mandate from the nation. Two thirds of its members are elected by direct universal suffrage. The remaining third are elected by an electoral college composed of communal councillors and of members elected by electoral colleges composed of the elected representatives of professional organizations and representatives of wage-earners.

15. The Government is composed of the Prime Minister and ministers. It is responsible to the King and the Chamber of Representatives. It is responsible for the enforcement of the law and is in charge of the administration. The King appoints the Prime Minister and, on the Prime Minister's proposal, the other members of the Government. (Article 24 of the constitutional amendment approved by referendum on 4 September 1992).

16. The judiciary is independent of both the legislature and the executive. The various courts are: the commune and district courts (Dahir of 15 July 1974), the courts of first instance (Dahir of 15 July 1974), the courts of appeal (Dahir of 15 July 1974), the Supreme Court (Dahir of 15 July 1974), the Special Court of Justice (Dahir of 6 October 1972), which hears cases involving judges or public officials, the Permanent Court of the Royal Armed Forces, and the High Court (Dahir of 8 October 1977), which tries offences committed by members of the Government in the performance of their duties.

17. The territory of the Kingdom of Morocco is divided, for administrative purposes, into eight economic regions, which are themselves subdivided into wilaya, provinces and communes.

18. For the purposes of local government, the local communities elect, pursuant to the provisions of the Constitution, communal councils, provincial assemblies and prefectorial assemblies.

(a) Communal councils are elected by a relative majority in a single-round uninominal ballot by direct universal suffrage. The communal council has general competence to deal with all matters of local interest. In particular, it performs the following functions:

It draws up the economic and social development plan for the commune.

It examines planning proposals.

It decides on participation in communal or inter-communal mixed-investment undertakings.

It fixes the basis of assessment, rates and rules for the collection of the various charges levied on behalf of the commune.

(b) The prefectorial and provincial assemblies are elected by communal councillors under the proportional system in which they vote for several names on a list and any remaining seats are attributed to the parties which have the best showing. The chambers of agriculture, commerce, industry and craft trades are also represented in these assemblies through a member elected by each of them.

The provincial assembly is responsible in particular for:

Regional development programmes

Industrial decentralization projects

Establishment and determination of the method of administering the public, prefectorial and provincial services

Establishment of or participation in development companies

Road classification, maintenance and extension

Determination of the basis of assessment, rates and rules for the collection of dues, charges and taxes levied on behalf of the prefecture or province.

III. GENERAL LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

A. Judicial, administrative or other authorities having jurisdiction affecting human rights

19. In the performance of their duties, all Moroccan authorities have competence with respect to the implementation of human rights as universally recognized. They are bound by the provisions set forth in the international instruments ratified by the Kingdom of Morocco and by the fundamental rights laid down in the Moroccan Constitution.

20. The national courts are responsible for seeing that human rights are respected (see section on remedies below).

21. A human rights advisory council has been set up to monitor the human rights situation in Morocco and to give opinions on specific cases involving human rights.

22. The Ministry of Justice is responsible for the justice sector.

23. The Ministry of the Interior has a department which is responsible for public freedoms, called the Directorate for Staff Training, Codification and Public Freedoms.

B. Remedies available in the event of violation of human rights

24. Any person whose rights have been violated or who considers that his rights have been prejudiced has a number of ordinary or extraordinary remedies (at first instance and on appeal on a point of fact or law).

25. Under the Dahir of 15 July 1974, which establishes the judicial system in the Kingdom of Morocco, remedies are available before the commune and district courts, the courts of first instance, the courts of appeal and the Supreme Court.

26. An appeal against decisions delivered by the courts of first instance can be lodged with the criminal division of the Court of Appeal. Appeals against decisions handed down by the division lie to the Supreme Court.

27. Citizens also have other kinds of remedy against any administrative decision that causes them harm, namely, an appeal out of court to the person responsible for the decision, an appeal to the next highest administrative authority, and an appeal against a decision by an administrative department on the ground that it has exceeded its powers. Article 360 of the Code of Civil Procedure stipulates that: "Subject to the provisions of the following paragraph of this article, appeals against decisions by administrative departments on the grounds that they have exceeded their powers shall be lodged within a period of 60 days from the date of publication or notification of the decision contested.

"However, the persons concerned shall be entitled, before the expiry of the time-limit for the appeal to the Supreme Court, to appeal out of court to the person responsible for the decision or to lodge an appeal with the next higher administrative authority. In this case, the appeal to the Supreme Court may be lodged within a period of 60 days from the date of notification of the decision expressly rejecting, either wholly or in part, the earlier administrative appeal."

28. Steps have also been taken to set up future administrative courts in Morocco's eight economic regions.

29. The rights provided for in the various international instruments on human rights to which Morocco is party are protected by the Constitution, the preamble to which states: "Aware of the need to ensure conformity of its actions with thé aims of the international organizations of which it is an active and dynamic member, the Kingdom of Morocco adheres to the principles, rights and obligations deriving from the charters of those organizations and reaffirms its commitment to the universally recognized human rights".

30. Articles 8 to 15 deal with the protection of rights and public freedoms. The Moroccan Constitution does not provide for any derogation from that protection. Its authors did, however, provide for a legal restriction to be introduced on the extent and exercise of the right to own property, having regard to the requirements of the planned economic and social development of the nation. A further legal restriction could be introduced on the exercise of certain public freedoms (article 9 of the Constitution).

31. The human rights instruments to which Morocco is party are published in the Official Gazette in Arabic and French, as soon as they have been ratified. The incorporation into Moroccan law of international legal provisions makes those provisions even more mandatory, since the Moroccan Constitution implicity recognizes that international law takes precedence over domestic law. That is apparent from the preamble to the Constitution (see the

preambular article quoted above). Article 31 provides that: "Treaties which might affect the provisions of the Constitution shall be approved in accordance with the procedures laid down for the amendment of the Constitution". In other words, the instruments which Morocco ratifies form an integral part of domestic law.

32. The provisions of these instruments can be invoked automatically before Moroccan courts.

IV. INFORMATION AND PUBLICITY

33. Morocco ensures that the various international legal instruments dealing with human rights are circulated widely. Events organized by the different public bodies afford an opportunity for the publication of documents relating to human rights. Publications are also issued by national non-governmental organizations engaged in the protection and promotion of the fundamental human rights.

34. The mass media also do a great deal to publicize human rights information and issues.

35. In education, courses are given in human rights, particularly in connection with the civic, cultural and religious education of the students.

36. Documents relating to the human rights instruments to which Morocco is party are brought to the attention of the government officials concerned in the protection and promotion of the human rights, particularly in the Ministries of Justice, the Interior and Information, Employment, Social Affairs, Cultural Affairs, Health, etc.

37. Compulsory courses on human rights are held in schools and academies which specialize in training members of the police force and military and paramilitary officers.

38. Once international instruments which deal with human rights have been ratified they are published in the Official Gazette in Arabic and French.

39. As regards the preparation of reports drawn up pursuant to international human rights instruments, these are drafted by the Ministry of Foreign Affairs in direct collaboration with the national ministries concerned. Other more specific reports are prepared directly by the competent ministries. None of these reports is the subject of public debate.

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